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*Attorneys for Defendants, Stratus Consulting Inc.,  
Ann Maest, and Douglas Beltman*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHEVRON CORPORATION,

Plaintiff,

- against -

STEVEN DONZIGER, et al.,

Defendants.

Case No.: 11 Civ. 0691 (LAK)

**AMENDED ANSWER AND  
JURY DEMAND**

Defendants Stratus Consulting Inc. s/h/a Stratus Consulting, Inc. (“Stratus”), Douglas Beltman, and Ann Maest (collectively, the “Stratus Defendants”), by their attorneys, Zeichner Ellman & Krause LLP and Silver & Deboskey, P.C., answers plaintiff Chevron Corporation’s (“Chevron”) Amended Complaint as follows:

**PRELIMINARY STATEMENT<sup>1</sup>**

Stratus is an environmental research and consulting firm that is internationally known for technical excellence, integrity, and scientific innovation. Chevron has alleged that Stratus<sup>2</sup> – a firm that is managed by and employs internationally-known PhDs in environmental science and economics, including invited members of National Academy of Sciences committees, Science Advisory Board panels, editorial boards of scientific journals, as well as a contributing author from the international panel that was awarded (together with former Vice President Al Gore) a Nobel Prize for its work on climate change – intentionally engaged in a series of conspiratorial and fraudulent acts for the purpose of assisting others to win a judgment against Chevron in Ecuador – a judgment that even Chevron concedes Stratus has no interest in.

Why would Stratus allegedly do this? Chevron does not (and cannot) explain, despite deposing all relevant Stratus principals and employees (including Mr. Beltman and Dr. Maest) and receiving voluminous documents relating to its work on the Ecuador litigation. This is because there is no evidence that Stratus knowingly participated in a RICO conspiracy or intentionally acted unlawfully in any way.

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<sup>1</sup> Because most of Chevron's Amended Complaint lumps all Defendants together and uses improper narrative that ignores the requirement of Federal Rule of Civil Procedure 8 to plead a "short and plain statement" of the claim, this Preliminary Statement serves to frame the subsequent, specific responses to Chevron's allegations given Chevron's unusual and argumentative pleading.

<sup>2</sup> Two Stratus employees were named individually as defendants. Mr. Douglas Beltman is Executive Vice President of Stratus. Mr. Beltman, a former employee of the U.S. Environmental Protection Agency, is widely known as an expert in the evaluation of ecological impacts and risks. Dr. Ann Maest is a Managing Scientist with Stratus. Dr. Maest, a former employee of the U.S. Geological Survey, is an internationally known research geochemist.

Indeed, this Court has already dismissed Chevron's baseless tortious interference with contract, trespass to chattels, and unjust enrichment claims against Stratus (claims four through six). The Court also dismissed Chevron's common law fraud claim against Stratus, to the extent it is based on detrimental reliance by Chevron.<sup>3</sup> Accordingly, Stratus need not (and does not) respond to the allegations contained in the Amended Complaint's fourth, fifth and sixth claims for relief. Equally, Stratus does not respond to the allegations contained in Chevron's ninth claim for declaratory and injunctive relief, as this Court severed Count Nine from this action.

When the facts are viewed in full (not selectively parsed as in Chevron's Amended Complaint), they show that Stratus: never had any financial stake in the outcome of the Ecuadorian lawsuit; relied on their clients, as is routine professional practice as well as Stratus' standard practice, to direct Stratus regarding the nature and manner of submitting their work product; had no knowledge of or involvement in any collusion or conspiracy, including alleged collusion between the LAPs' counsel and the Government of Ecuador; have no knowledge of or involvement in alleged attempts to extort Chevron by pressing for criminal charges in Ecuador; have no knowledge of or involvement in alleged improper contacts with the Ecuadorian judiciary; have no knowledge of or involvement in alleged attempts to enlist "armies" to intimidate Ecuadorian judges; have no knowledge of or involvement in alleged efforts to influence

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<sup>3</sup> The Court denied the Stratus Defendants' motion to dismiss Chevron's RICO claim but found that whether they were in fact part of the alleged RICO enterprise "must await proof." Docket No. 472 at 5. The facts (which Chevron already has) show that no such proof exists.

Chevron's shareholders, and have no knowledge of or involvement in any efforts to compel Chevron to settle a litigation in which Stratus has no stake.

In reality, Stratus was hired to provide technical assistance to attorneys representing a group of indigenous Ecuadorians (the "LAPs") in a lawsuit in Lago Agrio, Ecuador against Chevron for large-scale environmental pollution damage in the Amazon rainforest (the "Lago Agrio Litigation"). During the course of that assignment, Stratus – at the direction of and under the process dictated by its client – conducted technical analyses of oil field operations in Ecuador, the environmental contamination caused by those operations, and the resulting environmental impacts and damages. The technical aspects of the work on this project were standard and similar to the types of environmental assessments Stratus has performed for its clients over the past two decades on many occasions. Those clients have included numerous federal and state environmental agencies, as well as the United States Department of Justice and many state attorneys general. As with all of their projects, the Stratus Defendants stand behind the integrity of the technical work they performed for plaintiffs' attorneys in the Ecuador litigation.

In sum, the Stratus Defendants categorically deny they manufactured or tampered with any evidence, allegations that are neither supported by facts nor plausible in light of Stratus's decades-long reputation for technical excellence and integrity. All of the technical analyses conducted by Stratus on the Chevron Ecuador project were based on actual data and were undertaken with care and diligence. Stratus provided the results of its technical analyses directly to its clients at their direction, consistent with its standard

practice. Chevron's claim that Stratus and its employees "plotted" to "ghostwrite" the Cabrera Report is false. Stratus prepared materials and submitted them only to its clients, who on information and belief, subsequently provided them to Mr. Cabrera for his review and consideration. The Stratus Defendants had no contact with Mr. Cabrera after they turned materials over to the LAPs' counsel, and no control over what Cabrera did with the analyses prepared by Stratus. Moreover, on information and belief, only a small percentage of the final Cabrera Report contained information prepared and submitted directly to its clients by Stratus. Simply put, there is no reason why Stratus would engage or knowingly participate in the sort of high-stakes conspiracy alleged by Chevron, and the facts show it did not.

#### INTRODUCTION<sup>4</sup>

1. The Stratus Defendants admit that they were environmental consultants retained to assist counsel for the LAPs in the Lago Agrio Litigation. The Stratus Defendants deny the remaining allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

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<sup>4</sup> This and the following headings refer to the headings in Chevron's Amended Complaint. The subheadings in the Amended Complaint, which are conclusory and argumentative, have been omitted. To the extent the subheadings are deemed to contain any factual allegations against the Stratus Defendants, the Stratus Defendants deny those allegations.

2. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

3. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

4. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

5. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

**PARTIES AND RELEVANT NON-PARTIES**

6. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

7. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

8. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

9. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

10. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

11. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

12. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

13. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

14. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

15. The Stratus Defendants admit that they were environmental consultants to counsel for the Plaintiffs in the Lago Agrio Litigation, admit the identity and residency allegations of this paragraph, incorporate their response to paragraph 27 of the Amended Complaint, *infra*, as their response to the jurisdictional and venue allegations of this paragraph, and deny the remaining allegations of this paragraph.

16. The Stratus Defendants admit the identity and residency allegations of this paragraph and incorporate their response to paragraph 27 of the Amended Complaint, *infra*, as their response to the jurisdictional and venue allegations of this paragraph.

17. The Stratus Defendants admit the identity and residency allegations of this paragraph and incorporate their response to paragraph 27 of the Amended Complaint, *infra*, as their response to the jurisdictional and venue allegations of this paragraph.

18. As to the allegations of paragraph 18(a), (b), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), and (s) of the Amended Complaint, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

As to paragraph 18(c), the Stratus Defendants admit Joshua Lipton is the President of Stratus, resides in Colorado, and that he met with Mr. Donziger, and was included on

certain correspondence, concerning Stratus's consulting work relating to Lago Agrio Litigation. Except as so admitted, the allegations of paragraph 18(c) are denied.

As to paragraph 18(d), the Stratus Defendants admit David Chapman is a principal at Stratus and resident of Colorado, that he met or spoke with Mr. Donziger concerning Stratus's consulting work relating to the Lago Agrio Litigation, and that Mr. Chapman signed a Stratus document concerning the Cabrera Report. Except as so admitted, the allegations of paragraph 18(d) are denied.

As to paragraph 18(e), the Stratus Defendants admit William Powers was a subcontractor for Stratus in connection with certain work done by Stratus relating to the Lago Agrio Litigation, are without knowledge as to his residency and deny the remaining allegations of paragraph 18(e).

As to paragraph 18(o), the Stratus Defendants, through Defendant Maest, admit that E-Tech is located at 231 Las Mafanitas, Santa Fe, New Mexico 87501, and further admit that E-Tech provided various environmental consulting services to counsel for the Plaintiffs in the Lago Agrio Litigation. Except as so admitted, the Stratus Defendants deny the allegations of paragraph 18(o).

19. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

20. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

21. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

22. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

**SUBJECT MATTER JURISDICTION AND VENUE**

23. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph relating to diversity of citizenship. The remaining allegations are assertions and conclusions of law to which no response is required, but to the extent a response is required, such allegations are denied to the extent such allegations apply to the Stratus Defendants.

24. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

**PERSONAL JURISDICTION**

25. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

26. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

27. The Stratus Defendants admit that they are residents of the United States, and otherwise state that the allegations of this paragraph state legal conclusions to which no response is required. To the extent a response is required, except where expressly admitted the Stratus Defendants deny the allegations of this paragraph.

28. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

29. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

30. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

31. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

32. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

#### **FACTUAL BASIS FOR CLAIMS**

33. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

34. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

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62. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

63. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

64. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

65. The Stratus Defendants deny the allegations in this paragraph to the extent such allegations apply to the Stratus Defendants, and affirmatively state they have never had any financial stake in the outcome of the Lago Agrio Litigation – a fact known by Chevron through depositions and document discovery, despite its false allegation otherwise. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations of this paragraph.

66. The Stratus Defendants deny the allegations in this paragraph to the extent such allegations apply to the Stratus Defendants, and affirmatively state they have never had any financial stake in the outcome of the Lago Agrio Litigation – a fact known by Chevron through depositions and document discovery, despite its false allegation

otherwise. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations of this paragraph.

67. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

68. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

69. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

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81. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

82. The Stratus Defendants admit they communicated with Winston & Strawn LLP, but except as so admitted, deny the allegations of this paragraph to the extent such allegations are applicable to them. The Stratus Defendants are without information sufficient to form a belief as to the truth of the allegations insofar as they apply to others.

83. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

84. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

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87. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

88. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

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93. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

94. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

95. The Stratus Defendants admit they are not parties to the Bilateral Investment Treaty arbitration commenced by Chevron. The Stratus Defendants deny the

allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

96. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

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103. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

104. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

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112. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

113. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

114. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

115. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

116. The Stratus Defendants are without knowledge or information as to the truth of the allegations in this paragraph.

117. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

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128. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

129. The Stratus Defendants, through Defendant Ann Maest, admit that on or about March 3, 2007, Dr. Maest, Richard Kamp and others attended a meeting related to environmental impact work at which Mr. Cabrera and others, including Mr. Donziger and Mr. Fajardo, were present. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

130. The Stratus Defendants, through Defendant Ann Maest, admit that during a meeting on or about March 3, 2007, Mr. Fajardo gave a PowerPoint presentation regarding a “peritaje global” and related to environmental impact work, and that some or all of that meeting was videotaped. Except as expressly admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

131. The Stratus Defendants, through Defendant Ann Maest, admit that during a meeting on or about March 3, 2007, Mr. Fajardo gave a PowerPoint presentation regarding a “peritaje global” and related to environmental impact work, that some or all of

that meeting was videotaped, and, to the extent the allegations accurately quote Dr. Maest, that Dr. Maest said the words "But not Chevron." Except as expressly admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

132. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

133. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

134. The Stratus Defendants, through Defendant Ann Maest, admit that on or about March 4, 2007, Dr. Maest participated in a conversation with Mr. Donziger and others and expressed words to the effect that she did not recall sampling showing contamination of groundwater except in close proximity to the pits, and that some or all of this conversation was videotaped. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus

Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

135. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

136. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

137. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

138. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

139. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

140. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

141. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

142. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

143. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

144. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

145. The Stratus Defendants admit that on or about April 3, 2007, Mr. Chapman wrote an e-mail to Steven Donziger and refer to said email for its contents. The Stratus Defendants further admit that on or about April 27, 2007, there was a meeting at Stratus' offices in Boulder, Colorado attended by Mr. Donziger, Mr. Lipton, Mr. Beltman, Dr. Maest, Mr. Chapman and possibly Mr. Sowell. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

146. The Stratus Defendants admit that on or about April 27, 2007, there was a meeting at Stratus' offices in Boulder, Colorado, attended by Mr. Donziger, Mr. Lipton, Mr. Beltman, Dr. Maest, Mr. Chapman and possibly Mr. Sowell, and that some or all of that meeting was videotaped. The Stratus Defendants also admit that they entered into a contract with Kohn Swift, that the terms of that contract were later modified, and that Stratus received approximately \$1.1 million in payment for environmental consulting and related work performed under that contract. Except as so admitted, Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

147. The Stratus Defendants object to Chevron's imposition of an undue burden, in violation of Federal Rule of Civil Procedure 8, in responding to Chevron's

Amended Complaint through the incorporation of “details” concerning e-mails listed in Appendix B attached to the Amended Complaint, and deny all allegations concerning the purpose or description of such emails. The Stratus Defendants admit that Stratus and its employees engaged in e-mail communications with Mr. Donziger and refer to the documents for their content. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

148. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

149. The Stratus Defendants admit Mr. Beltman wrote an e-mail on February 22, 2008, and refers to the document for its content. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

150. The Stratus Defendants admit that in connection with their environmental consulting work that they sent internal and external e-mails about drafts of materials prepared by Stratus in connection with the Lago Agrio Litigation, and refer to the

documents for their contents. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

151. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

152. The Stratus Defendants admit that Mr. Beltman corresponded with translation firms, including Translating Spanish, Inc., in or about March 2008. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

153. The Stratus Defendants admit that Mr. Beltman sent certain correspondence concerning Stratus's work in connection with the Lago Agrio Litigation and refer to the documents themselves for their contents. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

154. The Stratus Defendants admit that on or about January 2008, Mr. Beltman, Dr. Maest and others attended a meeting at which Cabrera was present. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

155. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

156. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

157. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

158. The Stratus Defendants admit that Mr. Beltman corresponded with Mr. Donziger concerning work by Mr. Clapp, and refer to such correspondence for their

content. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

159. The Stratus Defendants admit that Mr. Beltman wrote the words “Oh what a tangled web” in an e-mail. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

160. The Stratus Defendants admit that Stratus held one or more staff meetings after Chevron filed an action under 28 U.S.C. §1782 seeking discovery from Stratus, that some staff members attended these meetings, and that staff members were provided truthful information about Chevron’s subpoenas and Chevron’s inaccurate allegations. Except as so admitted, the Stratus Defendants deny the allegations of this paragraph.

161. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

162. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

163. On information and belief, Defendant Maest admits and affirmatively states that E-Tech, which is a § 501(c)(3) charitable entity, timely filed its annual report but inadvertently failed to include the required \$10.00 check and as a result, its Certificate of Incorporation was temporarily suspended. Defendant Maest affirmatively states on information and belief that E-Tech then paid the approximately \$25.00 penalty for a late submission, its Certificate of Incorporation was re-instated, and it is in good standing with the State of New Mexico. On information and belief, Defendant Maest admits E-Tech reported all income received in 2006 to the Internal Revenue Service (“IRS”) in pursuit of its approved charitable mission; she denies that consultant payments to E-Tech were characterized as charitable contributions, but instead affirmatively alleges that they were mistakenly characterized as public rather than private support and that this error was corrected in early 2008 with the IRS. Defendant Maest denies the remaining allegations of this paragraph of the Complaint. Defendants Stratus and Beltman are without knowledge or information as to the truth of the allegations of this paragraph concerning E-Tech. The Stratus Defendants deny the remaining allegations of this paragraph.

164. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

165. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

166. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

167. The Stratus Defendants admit that they were asked by the LAPs' counsel to prepare comments on the Cabrera Report via an e-mail dated April 1, 2008, which comments were translated and provided to the LAPs' counsel, and that portions of certain e-mails regarding that work, although incomplete and out of context, appear to be quoted in this paragraph. Except as so admitted, the Stratus Defendants deny the allegations of this paragraph.

168. The Stratus Defendants admit that as part of the work mentioned in the preceding paragraph, Dr. Maest contacted Mr. Powers, who provided her with

assistance in this work. Except as so admitted, the Stratus Defendants deny the allegations of this paragraph.

169. The Stratus Defendants admit that Mr. Beltman corresponded by email with Mr. Donziger concerning Mr. Clapp and/or work performed by Mr. Clapp, and refer to the referenced emails for their content. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

170. The allegations of this paragraph do not appear to be allegations of unlawful conduct by the Stratus Defendants, but instead state Plaintiff's opinion about "substantial flaws and fundamental problems" in the Cabrera Report, which require no denial or admission by the Stratus Defendants. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

171. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

172. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

173. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

174. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

175. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

176. The Stratus Defendants admit that Mr. Donziger, Mr. Beltman, Dr. Maest, Mr. Fajardo, Mr. Yanza and Ms. Hinton attended one or more meetings at Stratus's offices in Boulder, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

177. The Stratus Defendants admit that on December 1, 2008, Stratus provided Mr. Donziger and/or Ms. Karen Hinton a fifteen-page document related to the Cabrera Report, and that Mr. Beltman, Dr. Maest and other Stratus employees signed its front page. The Stratus Defendants refer to that document for its content. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

178. The Stratus Defendants admit that on December 1, 2008, Stratus provided Mr. Donziger and/or Ms. Karen Hinton a fifteen-page document related to the Cabrera Report, and that Mr. Beltman, Dr. Maest and other Stratus employees signed its front page. The Stratus Defendants refer to the document for its contents. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

179. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

180. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

181. The Stratus Defendants admit that Stratus' employee, Mr. Mills, e-mailed a representative of California's Office of Spill Prevention and Response on June 12, 2008, that part of that e-mail, although incomplete and out of context, appears to be accurately quoted in this paragraph and otherwise refers to this email for its contents. The Stratus Defendants deny the remaining allegations of this paragraph.

182. The Stratus Defendants admit that Mr. Beltman sent the email referenced in this paragraph and refer to said document for its content. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph.

183. The Stratus Defendants admit that Mr. Beltman e-mailed Mr. Donziger and that portions of that e-mail, although incomplete and out-of-context, appear to be accurately quoted in this paragraph, and refer to that e-mail for its contents. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

184. The Stratus Defendants admit that on or about July 15, 2008, Stratus executed an honorarium agreement with Dr. Peter Jones of Bauu Institute and refer to that document for its contents. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

185. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

186. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

187. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

188. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

189. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

190. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

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192. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

193. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

194. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

195. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

196. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

197. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

198. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

199. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

200. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

201. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

202. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

203. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

204. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

205. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

206. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

207. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

208. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

209. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

210. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

211. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

212. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

213. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

214. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

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knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

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217. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

218. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

219. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

220. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

221. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

222. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

223. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

224. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

225. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

226. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

227. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

228. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

229. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

230. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

231. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

232. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

233. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

234. The Stratus Defendants admit that Mr. Beltman wrote an email to Mr. Donziger containing the words quoted in the penultimate sentence of this allegation. Except as expressly admitted, the Stratus Defendants deny the allegations of this paragraph.

235. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

236. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

237. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

238. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

239. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

240. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

241. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

242. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

243. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

244. The Stratus defendants admit that Mr. Beltman communicated with U.S. Congressman Jim McGovern's office about the Cabrera Report in approximately late 2008 and early 2009, portions of which, although incomplete and out of context, are quoted in this paragraph, and refer to those communications for their content. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

245. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

246. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

247. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

248. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

249. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

250. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

251. The Stratus Defendants deny that the “review” referenced in this paragraph of the Amended Complaint was fraudulent. The Stratus Defendants further deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

252. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

253. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

254. The Stratus Defendants admit that Mr. Beltman communicated with Mitchell Anderson of Amazon Watch by e-mail in December of 2008 and refer to those e-mails for their content. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus

Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

255. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

256. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

257. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

258. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

259. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

260. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

261. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

262. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

263. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

264. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

265. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

266. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

267. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

268. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

269. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

270. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

271. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

272. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

273. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

274. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

275. The Stratus Defendants admit that a "status report" as referred to in said paragraph was filed and refer to said document for its contents. The Stratus

Defendants also admit Mr. Beltman and Dr. Maest were deposed and to the extent said deposition testimony is referred to in this paragraph, refer to the deposition testimony of Mr. Beltman and Dr. Maest for its substance. Except as so admitted, the Stratus Defendants deny the allegations of this paragraph.

276. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

277. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

278. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

279. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

280. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

281. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

282. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

283. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

284. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

285. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

286. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

287. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

288. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

289. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

290. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

291. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

292. The Stratus Defendants admit Dr. Maest was deposed and refer to said deposition testimony of Dr. Maest for its substance. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

293. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

294. The Stratus Defendants admit that in the Section 1782 proceeding filed by Chevron in the District of Colorado, the LAPs' attorneys asserted privileges and

work product protection over the Stratus documents subject to the subpoenas issued in that proceeding. Except as so admitted, the Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

295. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

296. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

297. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

298. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

299. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

300. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

301. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

302. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

303. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

304. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

305. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

306. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

307. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

308. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

309. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

310. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

311. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

312. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

313. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

314. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

315. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

316. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

317. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

318. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

319. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

320. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

321. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

322. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

323. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

324. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

325. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

326. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

327. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

328. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

329. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

330. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

331. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

332. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

333. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

334. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

335. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

336. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

337. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

338. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

**CLAIMS FOR RELIEF**

**FIRST CAUSE OF ACTION**  
(Violations of RICO, 18 U.S.C. § 1962(c))  
(Against All RICO Defendants)

339. The Stratus Defendants re-allege and incorporate their responses to the preceding paragraphs as if fully set forth herein.

340. The allegations of this paragraph state legal conclusions to which no response is required. To the extent a response is required, the Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

341. The allegations of this paragraph state legal conclusions to which no response is required. To the extent a response is required, the Stratus Defendants admit that they are each a person within the meaning of 18 U.S.C §§ 1961(3) & 1962(c), and are

without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

342. The Stratus Defendants deny the allegations of this paragraph and each subparagraph (a) through (e) to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

343. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

344. The Stratus Defendants deny the allegations of this paragraph.

345. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

346. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

347. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

348. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

349. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

350. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

351. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

352. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without

knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

353. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

354. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

355. The Stratus Defendants object to Chevron's imposition of an undue burden, in violation of Federal Rule of Civil Procedure 8, in responding to Chevron's Amended Complaint through the incorporation of "details" concerning e-mails listed in Appendix B attached to the Amended Complaint, refer to those documents for their content, and deny all allegations concerning the purpose or description of such emails. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

356. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

357. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

358. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

359. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

360. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

361. The Stratus Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph.

362. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

363. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

364. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

365. The Stratus Defendants deny the allegations of this paragraph.

366. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

367. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

368. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

369. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

370. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

371. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

372. The Stratus Defendants deny the allegations of this paragraph.

373. The Stratus Defendants deny the allegations of this paragraph.

374. The Stratus Defendants deny the allegations of this paragraph.

375. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

376. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

377. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

378. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

379. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

**SECOND CAUSE OF ACTION**

(Conspiracy to Violate RICO, Violation of 18 U.S.C. § 1962(d))  
(Against All RICO Defendants)

380. The Stratus Defendants re-allege and incorporate their previous responses set forth above as if fully set forth herein.

381. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

382. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

383. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

384. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

385. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

386. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

387. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

**THIRD CAUSE OF ACTION**  
(Fraud)  
(Against All Defendants)

388. The Stratus Defendants re-allege and incorporate their prior responses as set forth above as if fully set forth herein.

389. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

390. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

391. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

392. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

393. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

394. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

395. The Stratus Defendants deny the allegations contained in this paragraph to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

**SEVENTH CAUSE OF ACTION**

(Civil Conspiracy)  
(Against All Defendants)

396. The Stratus Defendants re-allege and incorporate their previous responses as set forth above as if fully set forth herein.

397. The Stratus Defendants deny the allegations of paragraph 415 to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

398. The Stratus Defendants deny the allegations of paragraph 416 to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

399. The Stratus Defendants deny the allegations of paragraph 417 to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

400. The Stratus Defendants deny the allegations of paragraph 418 to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others.

401. The Stratus Defendants deny the allegations of paragraph 419 to the extent such allegations apply to the Stratus Defendants, and are without knowledge or information sufficient to form a belief about the truth of the allegations of this paragraph insofar as they apply to others

**EIGHTH CAUSE OF ACTION**

(Violations of New York Judiciary Law § 487)

(Against Defendants Donziger and the Law Offices of Steven R. Donziger and Donziger & Associates, PLLC)

402. The Stratus Defendants re-allege and incorporate their previous responses as set forth above as if fully set forth herein.

403. The allegations of Chevron's Eighth Claim do not appear to apply to the Stratus Defendants, but to the extent that they do, such allegations are denied.

404. The allegations of Chevron's Eighth Claim do not appear to apply to the Stratus Defendants, but to the extent that they do, such allegations are denied.

405. The allegations of Chevron's Eighth Claim do not appear to apply to the Stratus Defendants, but to the extent that they do, such allegations are denied.

406. The allegations of Chevron's Eighth Claim do not appear to apply to the Stratus Defendants, but to the extent that they do, such allegations are denied.

407. The allegations of Chevron's Eighth Claim do not appear to apply to the Stratus Defendants, but to the extent that they do, such allegations are denied.

408. The allegations of Chevron's Eighth Claim do not appear to apply to the Stratus Defendants, but to the extent that they do, such allegations are denied.

#### **GENERAL DENIAL**

The Stratus Defendants deny all allegations of fact in Chevron's Amended Complaint to the extent such allegations apply to the Stratus Defendants, unless specifically admitted above.

#### **AFFIRMATIVE DEFENSES**

1. Chevron's Amended Complaint fails to state a claim upon which relief can be granted against the Stratus Defendants.

2. Chevron's Amended Complaint fails to allege fraud, pattern and predicate acts by the Stratus Defendants with the particularity required by Federal Rule of Civil Procedure 9(b).

3. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by the prohibition and presumption against extraterritorial application of federal law.

4. Chevron's claims against the Stratus Defendants are barred, in whole or in part, because the alleged misrepresentations were made to third parties, and not to Chevron.

5. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by the Stratus Defendants' First Amendment rights.

6. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by its failure to plead and inability to prove reliance by it or third-parties.

7. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by the Ecuadorian Court's disclaimer of reliance on the Cabrera Report in its Judgment.

8. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by any applicable statute of limitations or repose.

9. Chevron's claims against the Stratus Defendants are barred, in whole or in part, because they are premature or not ripe.

10. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by the doctrines of *res judicata* and/or collateral estoppel. No part of this defense relies on any judicial determination or judgment in Ecuador.

11. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by Chevron's own conduct, including, but not limited to (i) Chevron's conduct in the Lago Agrio Litigation, which, upon information and belief, consists of Chevron's *ex parte* communications with one or more court-appointed experts and/or judicial officials, and Chevron's "ghost-writing" of reports (including possibly but not limited to the Gerardo Barros report) submitted to the Ecuadorian Court by individuals, who were purported to be "independent" experts; and (ii) Chevron's conduct in the proceedings pursuant to 28 U.S.C. §1782.

12. Chevron's claims against the Stratus Defendants are barred, in whole or in part, because the Stratus Defendants' conduct is protected by an absolute litigation privilege or other privileges.

13. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by their good faith and by their reasonable reliance on the advice and counsel of Defendant Donziger and/or other LAPs' counsel concerning Ecuadorian law and the propriety of the Stratus Defendants' conduct thereunder.

14. Chevron's claims against the Stratus Defendants are barred, in whole or in part, to the extent that Chevron has failed to mitigate its damages, if any.

15. Chevrons' alleged damages are speculative, uncertain and contingent, and thus are not recoverable.

16. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by the doctrines of estoppel, waiver and/or ratification. No part of this defense relies on any judicial determination or judgment in Ecuador.

17. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by the absence of any duties owed by the Stratus Defendants to Chevron.

18. Chevron's claims against the Stratus Defendants are barred, in whole or in part, because Chevron's damages, if any, were caused by its own actions or omissions, or by the acts or omissions of third parties over whom the Stratus Defendants had no control.

19. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by a lack of reasonable reliance.

20. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by Chevron's assumption of risk.

21. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by the absence of proximate cause, and/or by the existence of intervening

and/or superseding causes, including, but not limited to, the alleged corruption/politicization of the Ecuadorian judicial system and Chevron's allegation that the Ecuadorian Court's Judgment relied on a secret laboratory database and not the Cabrera Report.

22. Chevron's claims against the Stratus Defendants are barred, in whole or in part, by Chevron's lack of standing.

23. [Withdrawn<sup>5</sup>]

24. Chevron fails to state a claim upon which punitive or exemplary damages can be awarded.

25. Chevron's claims are barred, in whole or in part, by Chevron's failure to join indispensable parties.

26. The Stratus Defendants reserve their right to add such other and additional affirmative defenses as may be applicable based on the facts learned in the course of discovery, trial preparation, or otherwise.

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<sup>5</sup> Upon reflection and for purposes of clarity, those aspects of the Ecuadorian proceedings which Stratus seeks to present to the Court can and will be presented in connection with Chevron's case in chief, and accordingly this affirmative defense is withdrawn. Stratus has no interest in the enforceability, herein or elsewhere, of the Ecuadorian judgment.

WHEREFORE, having fully answered Chevron's Amended Complaint, Defendants Stratus Consulting Inc., Douglas Beltman, and Ann Maest respectfully request Chevron's claims against them be dismissed with prejudice, that Chevron recover nothing thereby, and that the Stratus Defendants be awarded their costs, expenses and attorneys' fees incurred in the defense of Chevron's claims as permitted by statute, contract, rule and/or law as applicable, and that this Court grant the Stratus Defendants such other and further relief as it deems proper.

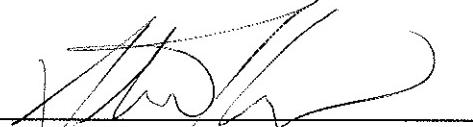
**JURY DEMAND**

The Stratus Defendants demand a trial by jury of all claims and/or issues so triable.

Dated: New York, New York  
June 28, 2012

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